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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,886	02/09/2004	Solomon I. David	097229/0052	8793
7590	10/18/2005			EXAMINER LE, THANH TAM T
Steven B. Pokotilow Stroock & Stroock & Lavan LLP 180 Maiden Lane New York, NY 10038			ART UNIT 2839	PAPER NUMBER

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/774,886	DAVID ET AL.
	Examiner Thanh-Tam T. Le	Art Unit 2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 July 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 37-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 37-50 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/25/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 37-38, 40, 42-46 and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Czosnowski et al. (5,764,043).

Regarding claims 37 and 44-45, Czosnowski et al., figures 1 and 8-11, disclose a data transmission cable (32) adapted for use in a system for determining a connection pattern of data ports, the data transmission cable comprising:

- a pair of jacks (116) at each end of the cable, respectively, each of the jacks adapted to mate with a corresponding socket (38) of a data port;
- a pair of adapter jackets (118) at the each end of the cable, each of the adapter jackets comprising an electrical contact (122) external to the data transmission cable, the electrical contact adapted to make electrical contact with a corresponding socket contact (82) when the jacks are mated with sockets; and
- a conductor (110) extending between, and electrically connected to each of the adapter jacket contacts.

Regarding claim 38, the adapter jackets are separate from the cable and are constructed to be retrofit over an existing data transmission cable.

Regarding claim 40, the conductor is a copper wire.

Regarding claims 42 and 48, the data transmission cable is a conventional multiconductor cable having a plurality of conductors therein.

Regarding claim 43, each of the jacks is selected from SC jacks.

Regarding claim 46, the electrical contact comprising a movable contact pin slidably engaged within the adapter jacket.

3. Claims 37, 39, 41, 47 and 49-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Kennedy et al. (5,695,365)

Regarding claims 37, 39, 41, 47 and 49-50, Kennedy et al., figures 2-5, disclose a data transmission cable (30) adapted for use in a system for determining a connection pattern of data ports, the data transmission cable comprising:

- a pair of jacks (32) at each end of the cable, respectively, each of the jacks adapted to mate with a corresponding socket (16) of a data port;
- a pair of adapter jackets (40) at the each end of the cable, each of the adapter jackets comprising an electrical contact (110) external to the data transmission cable, the electrical contact adapted to make electrical contact with a corresponding socket contact (not shown) when the jacks are mated with sockets; wherein the electrical contact comprising a contact pin (124) slidably engaged in a barrel (cavities 48 and 54, figure 4) and a spring (56) adapted to fit within the barrel and designed to support the contact pin and provide tension to the contact pin when the contact pin makes electrical contact with the corresponding socket; and

- a conductor (38) extending between, and electrically connected to, each of the adapter jacket electrical contacts (column 3, lines 32-35).

Response to Arguments

4. Applicant's arguments filed 7/25/05 have been fully considered but they are not persuasive.

On page 6, Applicant argues the Czosnowski et al. (043) does not disclose a jack, an adapter jacket and an external contact located on an adapter jacket.

The Examiner disagrees, claims 37 and 49 claim a jack at each end of a cable, an adapter jacket at each end of the cable and comprises an electrical contact external to the cable. Czosnowski et al., figures 1 and 8-11 show a jack (116) at each end of a cable (32), an adapter jacket also at the each end of the cable and the adapter jacket comprises an electrical contact (122) that contact a corresponding socket contact (82) of socket (38). The claims 37 and 49 do not claim an external contact located on an adapter jacket; therefore, Czosnowski et al. meets the structure of the claimed invention.

On page 8, Applicant argues Kennedy et al. (365) fails to disclose a conductor extending between, and electrically connected to, contacts external to adapter jackets.

The Examiner disagrees, Kennedy et al., figure 8 and column 3, lines 32-35 disclose the limitation above.

For the above reasons, it is believed that the rejections should be sustained.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
6. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.
8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2839

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thanh-Tam T. Le
Primary Examiner
Art Unit 2839

TL.
10/15/05.